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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,358	01/22/2002	Angela Marcela Wilkinson	WILK03-0004	9273

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Docket Clerk
P.O. Drawer 800889
Dallas, TX 75380

EXAMINER

THOMAS, ALEXANDER S

ART UNIT	PAPER NUMBER
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1772

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/055,358
Filing Date: January 22, 2002
Appellant(s): WILKINSON, ANGELA MARCELA

Daniel Venglarik
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed January 21, 2005.

MAILED
FEB 25 2005
GROUP 1700

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FEB 2 2005
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(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Claimed Subject Matter*

The summary of invention contained in the brief is correct.

(6) *Grounds of Rejection To Be Reviewed On Appeal*

The appellant's statement of the issues in the brief is substantially correct.

The changes are as follows:

Claims 1, 2, 4, 5, 9-14 and 16-20 stand rejected over Kaye in view of applicant's acknowledged state of the art. The phrase "in view of applicant's acknowledged state of the art" was inadvertently left out of the Final Rejection dated 5/14/04, however it is clear from the body of the rejection that applicant's acknowledged state of the art was being relied upon as a secondary reference.

Claims 1, 2, 4, 5, 9-15 and 20 stand rejected over Kamel in view of applicant's acknowledged state of the art.

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Claims 1, 2, 4, 5, 10, 12, 14 and 16 stand rejected over Krass in view of applicant's acknowledged state of the art.

(7) *Claims Appendix*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) *Prior Art of Record*

The following is a listing of the evidence (e.g., patents, publications, Official Notice, and admitted prior art) relied upon in the rejection of claims under appeal.

D181,058	KAYE	9-1957
D266,045	KAMEL et al	9-1982
D139,954	KRASS	10-1944

(9) *Grounds of Rejection*

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 2, 4, 5, 9-14 and 16-20 stand rejected under 35 USC 103 as being unpatentable over Kaye in view of applicant's acknowledged state of the art. This rejection is set forth in the prior office action mailed May 14, 2004. The phrase "in view of applicant's acknowledged state of the art" was inadvertently left out of the office action mailed 5/14/04, however it is clear from the body of the rejection that applicant's acknowledged state of the art was being relied upon as a secondary reference.

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Claims 1, 2, 4, 5, 9-15 and 20 stand rejected under 35 USC 103 as being unpatentable over Kamel et al in view of applicant's acknowledged state of the art. This rejection is set forth in the prior office action mailed May 14, 2004.

Claims 1, 2, 4, 5, 10, 12, 14 and 16 stand rejected under 35 USC 103 as being unpatentable over Krass in view of applicant's acknowledged state of the art. This rejection is set forth in the prior office action mailed May 14, 2004.

(10) *Response to Argument*

Appellant argues that the size of both the body and coaster extension of the placemat are not shown or suggested by the cited references. However, as set forth in the Final Rejection, it is the Examiner's position that adjusting the size of the placemat and its extensions is well within the purview of one of ordinary skill in the art to achieve the desired coverage or protection for a particular end use.

Appellant further argues that the office action merely asserts without any support that the claimed materials for the placemat are well-known. However, the rejections clearly rely on appellants acknowledged state of the art to show that the claimed materials were well-known materials used to make placemats at the time of appellant's invention.

Appellant also argues that the instantly claimed placemat is "reversible" and that such a feature is not disclosed by the cited references. The placemats disclosed in Kaye and Kamel et al may be employed "while resting on a first surface or while resting on a second surface opposite the first surface" and therefore meet the limitations of claims 11 and 20 concerning reversibility.

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For the above reasons, it is believed that the rejections should be sustained.


Respectfully submitted,



ALEXANDER S. THOMAS
PRIMARY EXAMINER

ast
February 15, 2005

Conferees

Rena Dye 

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